

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

SKYLAR M. HARRIS,

Plaintiff,

V.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

Civil Action No. 5:11cv041

) **By: Michael F. Urbanski**
) **United States District Judge**

ORDER

In accordance with the Memorandum Opinion entered this date, it hereby **ORDERED** as follows:

1. The November 23, 2011 Report and Recommendation is **REJECTED** to the extent it recommends that this matter be reversed and judgment be entered in favor of plaintiff;
2. Plaintiff's motion for summary judgment (Docket # 11) is **GRANTED in part** and **DENIED in part**;
3. The Commissioner's motion for summary judgment (Docket # 13) is **DENIED**;
4. This matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration as set forth in the Memorandum Opinion; and
5. This case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered: September 27, 2012

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge